

United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

APPLICATION NO	0.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/617,112		07/11/2003	Bruce Mead	55773-02/ejg	55773-02/ejg 2607	
33797	7590	09/22/2004		EXAMINER		
		SON, LLP	CHAPMAN, JEANETTE E			
20 QUEE TORONT		T WEST, SUITE 2500 45H 3S1		ART UNIT	PAPER NUMBER	
CANADA	•		•	3635		
				DATE MAILED: 09/22/2004	4	

Please find below and/or attached an Office communication concerning this application or proceeding.

. 6	Application No.	Applicant(s)	M
Office Action Comments	10/617,112	MEAD, BRUCE	-
Office Action Summary	Examiner	Art Unit	
The BRAN INC DATE OF THE	Chapman E Jeanette	3635	
The MAILING DATE of this communication in Period for Reply A SHORTENED STATUTORY PERIOD FOR RE			!\$\$
 THE MAILING DATE OF THIS COMMUNICATIO Extensions of time may be available under the provisions of 37 CFR after SIX (6) MONTHS from the mailing date of this communication. If the period for reply specified above is less than thirty (30) days, a If NO period for reply is specified above, the maximum statutory per Failure to reply within the set or extended period for reply will, by state Any reply received by the Office later than three months after the material patent term adjustment. See 37 CFR 1.704(b). 	N. 2 1.136(a). In no event, however, may a reply within the statutory minimum of thirty iod will apply and will expire SIX (6) MONT atute, cause the application to become ABA	oly be timely filed (30) days will be considered timely. HS from the mailing date of this comm NDONED (35 U.S.C. § 133).	nunication.
Status			
1) Responsive to communication(s) filed on 06	5 July 2004.		
2a)⊠ This action is FINAL . 2b)⊠ T	his action is non-final.		
3) Since this application is in condition for allow closed in accordance with the practice under	·	•	erits is
Disposition of Claims			
4)⊠ Claim(s) <u>1-22</u> is/are pending in the applicati	ion.		
4a) Of the above claim(s) <u>19 and 20</u> is/are w			
5) Claim(s) is/are allowed.			
6)⊠ Claim(s) <u>1,10,11,14,21 and 22</u> is/are rejecte	ed.		
7)⊠ Claim(s) <u>2-9,13 and 15-18</u> is/are objected to			
8) Claim(s) are subject to restriction and	d/or election requirement.		
Application Papers			
9) The specification is objected to by the Exam	iner.		
10) The drawing(s) filed on is/are: a) a	accepted or b) objected to b	y the Examiner.	
Applicant may not request that any objection to t	the drawing(s) be held in abeyand	e. See 37 CFR 1.85(a).	
Replacement drawing sheet(s) including the corr	•		• • •
11) The oath or declaration is objected to by the	Examiner. Note the attached	Office Action or form PTO-	152.
Priority under 35 U.S.C. § 119			•
12) ☐ Acknowledgment is made of a claim for fore a) ☐ All b) ☐ Some * c) ☐ None of:	ign priority under 35 U.S.C. §	119(a)-(d) or (f).	
1. Certified copies of the priority docume			
2. Certified copies of the priority docume	·	·	
3. Copies of the certified copies of the p		eceived in this National Sta	age
application from the International Bure * See the attached detailed Office action for a I		eceived	
200 the attached detailed entre detailed at	not of the continua copies flot it	Jooitou.	
Attachment(s)			
1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)	4) Interview Su Paper No(s)	mmary (PTO-413) Mail Date	
3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/GPaper No(s)/Mail Date		ormal Patent Application (PTO-15	2)

Application/Control Number: 10/

Art Unit: 3635

Claim Rejections - 35 USC § 102

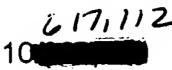
The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 and 10-11, 14, 21-22 are rejected under 35 U.S.C. 102(b) as being anticipated by Hwang (6442906). Hwang discloses a pedestal adapted to support a floor panel comprising:

- a base 81/8;
- a support means 71 for supporting a floor panel above the base;
- first threaded rotatable engageable member 1/2/11;
- second threaded rotatable engageable member 7;
- first and second rotatable threaded members operable between the base and the support members for selectively displacing said support means and the floor panel relative to the base so as to level the floor panel;
- the first rotatable member engageable with said base for fixing the height of the first rotatable member relative to the base;
- the threaded members include mating grooves and projections
- locking means 3 to engage the first member with the base;
- the first end of the first threaded member is engageable with the base and the other end threadably engageable with the second threaded member and the locking means 3;



Art Unit: 3635

- The second threaded member 7 includes the support 71;
- The support means 71 includes a support surface extending outwardly for supporting the floor panel;
- Locking arm 31 for locking the first threaded member member to the second

 The direction of the threads right or left has been considered a matter of choice; one of
 ordinary skill in the art would have appreciated using either which would enable the
 apparatus to function as intended.

Claims 14 are rejected under 35 U.S.C. 102(b) as being anticipated by Chen (5791096). Chen discloses a pedestal for supporting the corners of a floor panel comprising:

- a base
- first threadable member 12 coaxial with the base;
- second threadable member 14-16 coaxial with the base;
- the second threadable member includes a support extending radially outward
- second threadable member including engaging engageable means 14/15 for threaded rotation of the first member relative to the second to select eh height of the support relative to the base.

Claims 2-9, 13, 15-18 are rejected as depending upon a rejected base claim but would be considered as allowable if amended to include the base claim and any intervening claims.

Applicant's arguments filed July 6, 2004 are moot in view of the new ground of rejection.

Application/Control Number: 10/

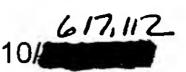
Art Unit: 3635

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chapman E Jeanette whose telephone number is 703-308-1310. The examiner can normally be reached on Mon.-Fri, 8:30-6:00, every other fri. off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Friedman Carl can be reached on 703-308-0839. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.



Art Unit: 3635

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

jec

Jeanette Chapman

Jeanette Chapman

Primary Examiner